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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/025,471	12/26/2001	Akihide Oshima	01USFP716	2985

466 7590 08/04/2006	**EXAMINER**	
YOUNG & THOMPSON	POKRZYWA, JOSEPH R	
745 SOUTH 23RD STREET		
2ND FLOOR	**ART UNIT**	**PAPER NUMBER**
ARLINGTON, VA 22202	2625	

DATE MAILED: 08/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/025,471	OSHIMA, AKIHIDE
	Examiner	Art Unit
	Joseph R. Pokrzywa	2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *16 May 2006*.

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle,* 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-5,7,12-15 and 18-22* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-5,7 and 12-15* is/are rejected.

7)☒ Claim(s) *18-22* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____ .

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____ .

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____ .

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1.   A request for continued examination under 37 CFR 1.114, including the fee set forth in

37 CFR 1.17(e), was filed in this application after final rejection. Since this application is

eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e)

has been timely paid, the finality of the previous Office action has been withdrawn pursuant to

37 CFR 1.114. Applicant's submission filed on 5/16/06 has been entered.

Response to Amendment

2.   Applicant's amendment was received on 5/16/06, and has been entered and made of

record. Currently, **claims 1-5, 7, 12-15, 18-22** are pending.

Claim Objections

3.   **Claims 2, and 20-22** are objected to because of the following informalities:

In *claim 2*, line 21, "trnsfer" should read "transfer";

in *claim 20*, line 1, "method" should read "system"; and

in *claims 21 and 22*, lines 1 and 2 of both claims, "the printing fee" should read "a

printing fee".

Appropriate correction is required.

Claim Rejections - 35 USC § 102

4.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5.   **Claims 1-5, 7, and 12-15** are rejected under 35 U.S.C. 102(e) as being anticipated by

Suzuki *et al.* (U.S. Patent Number 6,970,263)

Regarding *claim 1*, Suzuki discloses an in-net printing system (see Figs. 12 and 13)

comprising a portable terminal connected to a network (IA 105), a printer system connected to

the network (printer 108), and a network server system connected to the network (server 101),

wherein the portable terminal obtains a read data from the network server system and the

portable terminal outputs a print request to the printer system to print the read data (see Figs. 2

and 13, S1301-S1304, column 4, lines 52-column 5, line 18, and column 14, lines 46-65), the

print request comprising an order command data composed of a print command data, an

identification data for the portable terminal and an internet address data where the read data is

located (see Fig. 13, S1306, column 14, line 57-column 15, line 3), when sending the printer

request, transmits the identification data and password and the internet address data through the

network to the network server system (column 14, line 57-column 15, line 19), the printer system

outputs a transfer command data to the network server system in response to the print request

(column 14, line 57-column 15, line 19), the transfer command data comprising a transfer

request, the identification data and the internet address data (see Fig. 13, S1307, column 14, line

57-column 15, line 19), the network server system outputs the reads data to the printer system (S1310, column 15, lines 4-24), based on the transfer command data, when the network server system confirms an agreement between the identification data sent by the portable terminal and the identification data contained within the transfer command data sent by the printer system (see Fig. 13, S1307, column 14, line 57-column 15, line 19), and the printer system prints the read data, when receiving the read data (S1311, column 5, lines 43-60, and column 15, lines 4-24).

Regarding *claim 2*, Suzuki discloses a method of a charging-type in-net printing comprising the steps of obtaining a read data by a portable terminal (IA 105) from the network server system connected to a network (see Figs. 2 and 13, S1301-S1304, column 4, lines 52-column 5, line 18, and column 14, lines 46-65), outputting an order command data showing a request for printing the read data and composed of a print command data, an identification data for the portable terminal and an internet address data where the read data is located, from the portable terminal to a printer system (see Fig. 13, S1306, column 14, line 57-column 15, line 3), outputting a transfer command data from the printer system to the network server system in response to the order command data, the transfer command data comprising a transfer request, the identification data and the internet address data (see Fig. 13, S1307, column 14, line 57-column 15, line 19), obtaining a printable data (S1308-S1309, column 5, lines 19-52, and column 15, lines 4-19), wherein that the read data is converted by the network server system for the printer system (step S1309, column 5, lines 33-52, and column15, lines 4-24), outputted from the network server system (S1310, column 15, lines 4-24), when the network system confirms an agreement between identification data for the portable terminal sent by the portable terminal and the identification data sent by the printer system, based on the transfer command data (S1310,

column 15, lines 4-24), and printing the printable data by the printer system (S1311, column 5, lines 43-60, and column 15, lines 4-24).

Regarding *claim 3*, Suzuki discloses the method discussed above in claim 2, and further teaches that the portable terminal connects to the network by a wireless communication (column 4, lines 8-20, and column 9, lines 9-16).

Regarding *claim 4*, Suzuki discloses the method discussed above in claim 3, and further teaches that the portable terminal communicates with the printer system by a wireless communication which is unnecessary to be admitted (column 4, lines 8-20, and column 9, lines 4-16).

Regarding *claim 5*, Suzuki discloses the method discussed above in claim 4, and further teaches that the obtaining step comprises the steps of outputting the transfer command data from the printer system by the network server system (column 15, lines 4-24), based on the order command data, converting the read data into the printable data by the network server system (column 5, lines 33-52, and column15, lines 4-24), based on the transfer command data, and outputting the printable data from the network server system to the printer system (column 5, lines 43-60, and column 15, lines 4-24).

Regarding *claim 7*, Suzuki discloses the method discussed above in claim 6, and further teaches that the transfer command data includes the address data and a printer ID data which shows an address of the printer system and languages usable for the printer system (column 4, lines 21-45).

Regarding *claim 12*, Suzuki discloses a printer system (see Figs. 12 and 13) comprising a non-admitted wireless section which receives from a portable terminal (IA 105), order command

data, that shows a request for printing read data obtained from a network server system located on the internet (see Fig. 13, S1306, column 14, line 57-column 15, line 3), the order command data comprising a print command data, an identification data, and an internet address data where the read data is located (column 14, line 57-column 15, line 3), a network connection section which is connected to the network server system (see Fig. 12), the network connection section transfers a transfer command data showing a request for sending a printable data and comprising a transfer request, the identification data and the internet address data, based on the order command data, and the network connection section receives the printable data (column 14, line 57-column 15, line 24), outputted from the network server system when the network server system confirms an agreement between the identification data sent by the portable terminal and the identification data sent by the printer system, based on the transfer command data (steps S1308-S1310, column 5, lines 33-52, and column15, lines 4-24), wherein, the print data is converted into the printable data by the network server system (step S1309, column 5, lines 33-52, and column15, lines 4-24), and a printer apparatus body which prints the printable data (S1311, column 5, lines 43-60, and column 15, lines 4-24).

Regarding *claim 13*, Suzuki discloses the system discussed above in claim 12, and further teaches that the order command data is transferred by a wireless communication which is unnecessary to be admitted (column 4, lines 8-20, and column 9, lines 9-16).

Regarding *claim 14*, Suzuki discloses the system discussed above in claim 13, and further teaches that the transfer command data further includes a printer ID data showing an address of the printer system and languages usable for the printer system (column 4, lines 21-45).

Regarding *claim 15*, Suzuki discloses the system discussed above in claim 14, and further teaches that the order command data and the transfer command data further include a charging data used for charging for connection with the network server system (column 4, lines 8-20, and column 9, lines 9-16).

Allowable Subject Matter

6.   **Claims 18-22** are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims, and upon correction of any informalities indicated above.

Citation of Pertinent Prior Art

7.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Picoult *et al.* (U.S. Patent Number 6,654,601) discloses a remote message retrieval system.
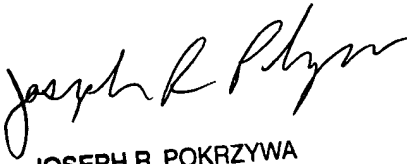
Conclusion

8.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Joe Pokrzywa whose telephone number is (571) 272-7410. The

examiner can normally be reached on Monday-Friday, 9:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Edward L. Coles can be reached on (571) 272-7402. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

<div style="text-align: right">

Joseph R. Pokrzywa
Primary Examiner
Art Unit 2625

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jrp

JOSEPH R. POKRZYWA
PRIMARY EXAMINER